

DECLARATION OF FABIAN SINCHI

I, Fabian Sinchi, pursuant to 28 U.S.C. § 1746, hereby declares the truth of the following:

1. I have personal knowledge of the facts set forth in this declaration and would testify as to them in a Court of Law if called upon to do so.
2. I am currently employed by Villas Market Place Inc. d/b/a Garden Gourmet located at 5665 Broadway, The Bronx, NY 10463 (the "Company"). I have been employed by the Grocery Store as the daytime manager, since March 2014.
3. The Grocery Store publishes a weekly schedule showing the days and times employees are scheduled to work that week. The Grocery Store expects us to arrive at the start of our shift and leave at the end of our shift. If I work long enough I will take a break. I was never instructed by the Grocery Store to work through any of my breaks.
4. In terms of recording my time, there is a timeclock at the front door where you have to punch in at the start of your shift and punch out at the end of your shift. If I arrive a few minutes late, or leave a few minutes early, I am still paid according to the shift I am scheduled to work. I have noticed that employees who arrive early for their shift, may clock-in but they do not begin working because their shift has not started.
5. I am not aware of anyone who was asked to work without clocking in or instructed to work through breaks.



Fabian Sinchi